IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH

AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF JUNE

TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE.

AND

HON'BLE Ms. JUSTICE G.ROHINI

Writ Petition No.10417 of 1995

Between:

N.Sreedhar,
Convener,
Rayalaseema Praja Parishad,
Kadiri. .. Petitioner

And

Government of Andhra Pradesh
Represented by its Chief Secretary,
Secretariat Buildings,
Hyderabad. .. Respondent

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus:

a) to direct the respondent herein to allocate 370 TMC of Krishna Water to Rayalaseema Region out of 800 TMC allocated to the State of Andhra Pradesh by Bachawat Committee;
b) to direct the respondent to accept the recommendations of

the Expert Committee of 1985 and to enhance the capacity of Srisailam Right Branch Canal and Pothireddipadu and Bamakacharla Head Regulators from the present capacity of 11.150 cusecs to 50,000 cusecs;

c) to direct the respondent to extent S.R.B.C. canal upto Govakallu and terminate the same in the lower part of Gandikota Reservoir as recommended by the Expert Committee of 1985; and

d) direct the respondent to construct another parallel canal to the present high level canal with a capacity of 150 TMC so as to supply water to up-lands of Anantapur and Chittoor districts as recommended by the Expert Committee of 1985.

Counsel for the petitioner :Sri Patti Srinivasulu, Advocate.

Counsel for the respondent : Government Pleader for Irrigation

The Court made the following:

ORAL ORDER: (Per Hon'ble the Chief Justice)

This petition is filed as Public Interest Litigation on 22-05-1995 seeking a number of directions for allocation of 370 TMC of Krishna Water to Rayalaseema Region out of 800 TMC allotted to the State of Andhra Pradesh by Bachawat Committee and to direct the respondent to accept the recommendation of the Expert Committee and enhance the capacity of Srisailam Right Bank Canal and Pothireddipadu and Bamakacharla Head Regulators from the existing capacity and direct the respondent to extend the S.R.B. Canal upto Govakallu and terminate the same in the lower part of Gandikota Reservoir as recommended by the Expert Committee in 1985 and also to construct another parallel canal to the present high level canal so as to supply water to the up-lands of Anantapur and Chittoor districts as per the recommendations of the Expert Committee in 1985.

We have gone through the writ affidavit as also the counter-affidavit filed on behalf of the respondent by the Secretary (Inter-State Rivers), Irrigation and C.A.D. Department. We need not go into the details of the allegations made by the petitioner and the counter-affidavit filed on behalf of by the respondent. In such like matters, hardly the intervention of the Courts is required since all the reliefs prayed for are of such nature, which involve the policy matters of the

State. Decision has to be taken as matter of policy for the welfare of the people and for that, the proper forum will not be the Court but to ensure that proper policies are formulated by the Government.

Accordingly, we direct that the writ petition itself may be duly considered by the respondent as a representation of the petitioner and appropriate decision thereon may be taken within three months from today. The writ petition is thus disposed of.

DEVINDER GUPTA, C.J.

G.ROHINI, J

tvr/bsc

To

1) The Chief Secretary, Government of Andhra Pradesh,
Secretariat Buildings, Hyderabad.
2) 2 CCs to G.P. for Irrigation, High Court Buildings, Hyderabad.
(OUT)
3) 2 CD copies